

(3) A product, a process specially adapted for the manufacture of  
the said product, and a use of the said product.

37 C.F.R. § 1.475(b)(3).

Accordingly, in the event the claims of Group I, drawn to a product, are found allowable, Applicant asserts the right to rejoin any withdrawn method claims (i.e., Groups II-V) that depend from the allowable product claims.

In addition, Applicant provisionally elects the following compound **75**, [*N*-Ala<sup>4</sup>]-Tamandarin B, as a single disclosed species. The preparation of this compound is described in Example 6 and the chemical structure can be found in Scheme 20, on page 89 of the application as filed. Accordingly, the elected species is a compound of Formula I, wherein R<sup>1</sup> is H, R<sup>2</sup> is CH<sub>3</sub>, R<sup>3</sup> is 4-methoxybenzyl, R<sup>4</sup> is CH<sub>3</sub>, R<sup>5</sup> is (N-methyl-R-leucine)-S-proline-S-lactate, R<sup>6</sup> is valine side chain, X is O, and Y is H (see page 48, lines 4-6 of the application as filed). Claims 1, 2, 3, 8, 10, 14, 16, 17, 19, 21, 24, 27, 30, 31, and 34-39 read upon this elected species.

Applicant asserts the right to claim additional species in the event that a generic claim hereto is found allowable in accordance with 37 C.F.R. § 1.141(a).


To the extent that this election of species requirement as between compounds of Formula I is treated as a restriction requirement, and/or to the extent that examination is not conducted pursuant to guidelines set forth at M.P.E.P. § 821.04, Applicant traverses.

Reconsideration and withdrawal of the Restriction and Election of Species Requirements, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

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